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George W. Fitzmaurice

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EXAMINER

TRAN, TUYETLIEN T

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/684,579

Applicant(s)

FITZMAURICE ET AL.

Examiner

TuyetLien (Lien) T. Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/6/06, 3/2/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This application has been examined. The original claims 1-31 are pending. The examination results are as follows.

#### ***Priority***

1. Applicants are required to amend the first sentence of the specification to cross reference to other related application, identifying them by application numbers, which are now missing.

#### ***Information Disclosure Statement***

2. The examiner has considered the documents listed in forms PTO-1449 submitted with the Information Disclosure Statements (IDSs) received on 05/06/2004 and 03/02/2004 (see the attached forms PTO-1449).

#### ***Claim Objections***

3. Claims 15 and 19 are objected to because of the grammar error.

Claim 15 recites "a functions" in the first and second lines of the claim. It should be changed either to "a function" or "functions".

Claim 19 recites "a additional" in the seventh line of the claim. It should be changed to "an additional".

It is the best interest of the patent community that applicant, in his/her normal review and /or rewriting of the claims, to take into consideration these editorial situations and make changes as necessary.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 27 recites the limitation "the replicable control" in the second line of the claims. There is insufficient antecedent basis for this limitation in these claims.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 13, and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Strauss (Patent No. US 6,246,411 B1, hereinafter simply referred to as Strauss).

As to independent claim 1, Strauss discloses:

A graphical user interface (drag toolbar enable application, see Fig. 1A),  
comprising:

a first region control initiating a first function when activated (control button 8, see Fig. 1B);

a second region control associated with the first region control and initiating a second function (control button 9);

a tracking menu boundary surrounding the first and second region controls (zone 42 as shown in Fig. 7); and

a tracking symbol tracking a position of a position transducer moved by a user (cursor 4), movable within the first and second region controls (see col. 6, lines 63-64), initiating movement of the interface to track the tracking symbol when the boundary is encountered by the tracking symbol during movement of the tracking symbol (see col. 6, lines 65-67) and indicating event focus for activating and performing the first and second functions (Fig. 1B-1D).

As to claim 13, Strauss further teaches wherein the interface is transparent when the one of the functions are activated (see col. 2, lines 42-44) and semi-transparent (see col. 8, lines 1-2).

As to claim 17, Strauss further teaches wherein the interface is invoked by pressing an activation key (see col. 2, lines 54-55).

As to claim 18, Strauss further teaches wherein the interface is displayed while an activation key is active (see col. 2, lines 54-55).

8. Claims 22 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Dow et al. (Pub. No US 2001/0009428 A1; hereinafter simply referred to as Dow).

As to independent claim 22, Dow discloses:

A method (a capturing and viewing method, see abstract), comprising:

displaying a pan-zoom tracking menu tool (i.e., navigation menu as shown in Fig. 8E);

allowing a user to select pan and zoom operations (step 146 in Fig. 15A) using the tracking menu tool and an input transducer (i.e., the pan-zoom tool moves as the user moves the mouse that controls the cursor); and

performing a selected one of the pan and zoom operation responsive to movements of the input transducer by the user (see [0052] lines 10-14).

As to independent claim 30, Dow discloses:

A computer readable storage controlling a computer (see e.g., [0066]) via a pan-zoom tracking menu (i.e., navigation menu as shown in Fig. 8E; note that i.e., the pan-zoom tool moves as the user moves the mouse that controls the cursor) having the appearance of a center (i.e., the magnifying glass is in the center of the tool) and a surrounding ring (i.e., pan option is located in the ring of the tool) and interpreting transducer input events as pan and zoom selection and control events (see [0052] lines 10-14).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2-3, 5, 20-21, 29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Dow.

As to independent claims 20 and 21, Strauss teaches:

A user interface (drag toolbar enable application, see Fig. 1A), comprising:

a movable control (i.e., drag toolbar 40 as shown in Fig. 7) having a first function activatable (control button 8, see Fig. 1B) and a second function activatable (control button 9); and

a tracking symbol (cursor 4) movable within the control (see col. 6, lines 63-64) and moving the control when an exterior edge of the peripheral region is encountered (see col. 6, lines 65-67); and

the tracking symbol (cursor 4) tracking a position of a user positionable input transducer (e.g., a mouse, light pen, or stylus on a touch-sensitive display screen, see col. 1, lines 18-21).

However, Strauss fails to disclose that the first function activatable in an entire peripheral region of the control and the second function activatable in a central region of

the control. Dow, though, teaches the first function activatable in an entire peripheral region of the control (i.e., pan option of the navigation menu as shown in Fig. 8E) and the second function activatable in a central region of the control (i.e. zoom function of the navigation menu).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the menu/navigation interface module as taught by Dow to the tracking menu as taught by Strauss to provide the user with graphical menus for performing various operations and processes the user's response thereto (see Dow [0052] lines 32-40).

As to independent claim 29, Strauss teaches:

An apparatus (a computer system, see col. 2, lines 18-25), comprising:

a display (e.g., a display screen, see col. 1, lines 19-21);

a pen type input transducer (e.g., light pen or stylus, see col. 1, lines 18-20); and

a computer coupled to the display and transducer (see col. 8, lines 34-45) and providing a tracking menu (i.e., drag toolbar 40 as shown in Fig. 7) on the display and allowing a user to select a command control (control buttons 8 and 9, see Fig. 1B);

However, Strauss fails to expressly teach that providing a pan-zoom tracking menu on the display and allowing a user to select and perform pan and zoom operations the transducer input. Dow, though, teaches providing a pan-zoom tracking menu (i.e., navigation menu as shown in Fig. 8E; note that i.e., the pan-zoom tool moves as the user moves the mouse that controls the cursor) on the display and allowing a user to select and perform pan and zoom operations the transducer input (step 146 in Fig.



15A). Thus combining Strauss and Dow would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 21 above.

As to independent claim 31, Strauss teaches:

A computer readable storage controlling a computer (see col. 8, lines 34-45) by producing a graphical user interface on a display (i.e., drag toolbar 40 as shown in Fig. 7); moving the graphic on the display as a tracking menu (see Fig. 7) responsive to movement of a pen (i.e., cursor 4 is controlled by a light pen or stylus, see col. 1, lines 18-20), and interpreting input events initiated by the pen as copy and paste selection and control events (see Fig. 1A-1D). However, Strauss fails to expressly teach that the interface has an appearance of a center and a surrounding ring graphic (i.e., pan option of the navigation menu as shown in Fig. 8E) and interpreting input events initiated by the mouse as pan and zoom selection and control events (see [0052] lines 10-14). Thus combining Strauss and Dow would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 21 above.

As to claim 2, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss does not expressly teach that the second region control surrounds the first region control. Dow, though, teaches the second region control surrounds the first region control (note that pan control buttons are surrounding the zoom control button as shown in Fig. 8E). Thus combining Strauss and Dow would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 21 above.

As to claim 3, Strauss and Dow teach the limitations of claim 2 for the same reasons as discussed with respect to claim 2 above. Dow further teaches wherein the first region control is circular in shape (zoom button is located in the center of the navigation menu as shown in Fig. 8E). Thus combining Strauss and Dow would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 21 above.

As to claim 5, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss fails to expressly teach that the first function is a zoom function and the second function is a pan function. Dow, though, teaches the first function is a zoom function (i.e., magnifying glass icon in the center of the navigation menu as shown in Fig. 8E) and the second function is a pan function (see Fig. 8E). Thus combining Strauss and Dow would meet the claimed limitation for the same reasons as discussed with respect to claims 20 and 21 above.

11. Claims 4, 7, 9-12 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Selker (Patent No US 6,549,219 B2; hereinafter simply referred to as Selker).

As to claim 4, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss fails to expressly teach that the second region control is a most frequently used function. Selker, though, discloses wherein second region control (i.e., the outer ring region that contains buttons 63-70 as

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shown in Fig. 6) is a most frequently used function (see col. 4, lines 62-67 – col. 5, lines 1-3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of display control buttons in a circular format as taught by Selker to the tracking menu as taught by Strauss to produce a product which the users interacts with quickly and easily (see Selker col. 3, lines 11-16).

As to claim 7, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss fails to expressly teach that the first region control is circular shaped and the second region control is ring shaped. Selker, though, teaches the first region control is circular shaped (control button 60 as shown in Fig. 6) and the second region control is ring shaped (i.e., the ring region that contains control buttons 63-70). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 9, Strauss and Selker teach the limitations of claim 7 for the same reasons as discussed with respect to claim 7 above. Selker further teaches wherein the second region control is segmented into ring segments each being a different control (control buttons 63-70 as shown in Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 10, Strauss and Selker teach the limitations of claim 7 for the same reasons as discussed with respect to claim 7 above. Selker further teaches comprising

a ring control having a ring shape surrounding the second control region (i.e., the outer ring, see Fig. 6) and initiating a third function when activated (i.e., highlighted when activated as shown in Fig. 8). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claims 11 and 14, Strauss and Selker teach the limitations of claims 10 and 1 for the same reasons as discussed with respect to claims 10 and 1 above. Selker further teaches comprising a button control (i.e., control button 61 as shown in Fig. 6) initiating a third function when activated (i.e., function that associates with button 61) and located on a boundary between the first and second region controls (see Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 12, Strauss and Selker teach the limitations of claim 10 for the same reasons as discussed with respect to claim 10 above. Selker further teaches comprising a button control (i.e., control button 61 as shown in Fig. 6) initiating a third function when activated (i.e., function that associates with button 61) and located within a region (note that button 61 is located within the pie menu). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 15, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. However, Strauss fails to teach that button controls initiating a functions when activated and located on a boundary between the

first and second region controls and creating access channels for movement of the tracking symbol within the interface. Selker, though, discloses button controls (i.e., control buttons 61 and 62 as shown in Fig. 6) initiating a functions when activated (i.e., functions that associates with buttons 61 and 62) and located on a boundary between the first and second region controls (see Fig. 6) and creating access channels for movement of the tracking symbol within the interface (i.e., the user can move the cursor within the ring region containing control buttons 61 and 62). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

As to claim 16, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. Strauss further teaches that the tracking boundary (i.e., zone boundary 42 as shown in Fig. 7) coincides with the exterior graphic edge (see Fig. 3A). However, Strauss fails to disclose that the second region control has an exterior graphic edge. Selker, though, teaches that the second region control has an exterior graphic edge (Fig. 6). Thus combining Strauss and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

12. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Warnock et al. (Patent No 5,634,064; hereinafter simply referred to as Warnock).

As to claim 6, Strauss teaches the limitations of claim 1 for the same reasons as discussed with respect to claim 1 above. Strauss further teaches that wherein the interface is semi transparent when the functions are not activated (see col. 8, lines 1-2), transparent when the functions are activated (see col. 2, lines 42-44). However, Strauss fails to expressly teach that one of a zoom and pan icon replaces the tracking symbol when the functions are activated. Warnock, though, teaches one of a zoom and pan icon replaces the tracking symbol when the functions are activated (i.e., hand icon 126 as shown in Fig. 4a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of replacing the cursor with the activated tool as taught by Warnock to the tracking menu as taught by Strauss to indicate to the user what tool is currently activated and thus enhance the readability of the portion that is out-of-range (see Warnock col. 2, lines 30-37 and col. 10, lines 30-35).

13. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strauss in view of Selker and further in view of Nicholas, III (Patent No US 6,865,719 B1; hereinafter simply referred to as Nicholas).

As to claim 8, Strauss and Selker teach the limitations of claim 7 for the same reasons as discussed with respect to claim 7 above. Strauss further teaches that an icon for the second region control is displayed when the tracking symbol is over the second region control (i.e., displaying a tool tip when the cursor is over a control, see col. 2, lines 33-38). However, Strauss does not expressly disclose that the second

region control is made invisible during movement. Nicholas, though, teaches the second region control is made invisible during movement (i.e., the message 202b can be removed from view while trailing the cursor, see col. 6, lines 4-15, or Fig. 2A Item 208c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of trailing message as taught by Nicholas to the tracking menu as taught by Strauss as modified by Selker to reduce the distraction to the user trying to read the information (see Nicholas col. 6, lines 10-15).

14. Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dow in view of Warnock.

As to claim 23, Dow teaches the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Dow fails to teach displaying a corresponding pan and zoom tracking symbol icon as a replacement for the tool during the performing. Warnock, though, teaches displaying a corresponding pan and zoom tracking symbol icon as a replacement for the tool during the performing (i.e., hand icon 126 as shown in Fig. 4a). Thus combining Dow and Warnock would meet the claimed limitation for the same reasons as discussed with respect to claim 6 above.

As to claim 24, Dow and Warnock teach the limitations of claim 23 for the same reasons as discussed with respect to claim 23 above. Warnock further discloses wherein replacement occurs when the tool is pinned (i.e., the toolbar is docked at the

top of the screen, see Fig. 4a). Thus combining Dow and Warnock would meet the claimed limitation for the same reasons as discussed with respect to claim 6 above.

15. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dow in view of Mullet et al (Patent No 5,638,523; hereinafter simply refer to as Mullet).

As to claim 25, Dow teaches the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Dow does not expressly teach that comprising designating a zoom control axis responsive to initial movement of the input transducer after the zoom operation is selected. Mullet, though, teaches comprising designating a zoom control axis (i.e., magnification adjustment slider 17 as shown in Fig. 2a) responsive to initial movement of the input transducer (mouse 25 and cursor 21 as shown in Fig. 1) after the zoom operation is selected (i.e., when the browsing tool 10 is in the magnification mode, see col. 4, lines 65-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the browsing tool as taught by Mullet to the navigation tool as taught by Dow to efficiently browse through the information displayed on the screen (see Mullet col. 1, lines 57-60).

As to claim 26, Dow and Mullet teach the limitations of claim 25 for the same reasons as discussed with respect to claim 25 above. Mullet further teaches comprising controlling a zoom scale factor responsive to a projection of transducer movements onto the control axis (see col. 5, lines 10-15). Thus combining Dow and Mullet would meet



the claimed limitation for the same reasons as discussed with respect to claim 25 above.

16. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dow in view of Selker.

As to claim 27, Dow teaches the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Dow fails to expressly teach that the tool includes a replaceable control and said method further comprises designating the replicable control as the most recently selected operation. Selker, though, discloses the tool includes a replaceable control and said method further comprises designating the replicable control as the most recently selected operation (i.e., the menu item of highest frequency of use is placed in the level 1 circle 10; note that the menu items can be any symbols generally known and used as menu items, see col. 3, lines 35-43). Thus combining Dow and Selker would meet the claimed limitation for the same reasons as discussed with respect to claim 4 above.

17. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dow in view of Hoeber et al (Patent No 5,276,795; hereinafter simply referred to as Hoeber).

As to claim 28, Dow teaches the limitations of claim 22 for the same reasons as discussed with respect to claim 22 above. However, Dow fails to expressly teach the tool can be pinned and the tool is unpinned when the transducer moves beyond an

unpin border. Hoeber, though, teaches the tool can be pinned and the tool is unpinned when the transducer moves beyond an unpin border (e.g., the user using the pushpin button 150 to keep the region or menu on the display, see Fig. 4a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of pushpin button as taught by Hoeber to the navigation tool as taught by Dow to avoid the inefficient and time consuming requirement of reselecting a particular menu button within a menu while allowing the users to execute other operations (see Hoeber col. 7, lines 39-45).

18. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dow in view of Dow, further in view of Selker, further in view of Warnock, and further in view of Nicholas.

As to independent claim 19, Strauss discloses:

A graphical user interface (drag toolbar enable application, see Fig. 1A),  
comprising:

a first region control initiating a function when activated (control button 8, see Fig. 1B);

a second region control initiating a function when activated (control button 9);

a tracking menu boundary surrounding the ring control (i.e., zone boundary 42 as shown in Fig. 7) wherein the tracking boundary (i.e., zone boundary 42) coincides with the exterior graphic edge (see Fig. 3A).

and an icon for the second region control is displayed when the tracking symbol is over the second region control (i.e., displaying a tool tip when the cursor is over a control, see col. 2, lines 33-38);

wherein the interface is semi transparent when the functions are not activated (see col. 8, lines 1-2), transparent when the functions are activated (see col. 2, lines 42-44);

However, Strauss does not expressly disclose that the first region control is circular shaped initiating a zoom function;

the second region control is ring shaped and surrounding the first control region control and initiating a pan function;

Dow, though, teaches:

the circular shaped first region control (zoom button is located in the center of the navigation menu as shown in Fig. 8E) initiating a zoom function when activated (i.e., zoom function);

a ring shaped second region control surrounding the first control region control (note that pan control buttons are surrounding the zoom control button and is ring shaped as shown in Fig. 8E) and initiating a pan function when activated (pan function);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the menu/navigation interface module as taught by Dow to the tracking menu as taught by Strauss to provide the user with graphical menus for performing various operations and processes the user's response thereto (see Dow [0052] lines 32-40).

However, Strauss and Dow do not expressly teach:

a ring control having a ring shape surrounding the second control region and initiating a third function when activated, the third function being a most frequently used function;

a button controls initiating a additional functions when activated, located on a boundary between the first and second region controls and creating access channels for movement of the tracking symbol within the interface; and

Selker, though, discloses:

a ring control having a ring shape surrounding the second control region and initiating a third function when activated (i.e., the outer ring, see Fig. 6), the third function being a most frequently used function (see col. 4, lines 62-67 – col. 5, lines 1-3);

a button controls (i.e., control buttons 61 and 62 as shown in Fig. 6) initiating a additional functions when activated (i.e., functions that associates with buttons 61 and 62), located on a boundary (see Fig. 6) between the first and second region controls and creating access channels for movement of the tracking symbol within the interface (i.e., the user can move the cursor within the ring region containing control buttons 61 and 62);

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of display control buttons in a circular format as taught by Selker to the tracking menu as taught by Strauss and as modified

by Dow to produce a product which the users interacts with quickly and easily (see Selker col. 3, lines 11-16).

However, Strauss, Dow, and Selker do not expressly teach that function icon replaces the tracking symbol when the functions are activated.

Warnock, though, teaches function icon replaces the tracking symbol when the functions are activated (i.e., hand icon 126 as shown in Fig. 4a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of replacing the cursor with the activated tool as taught by Warnock to the tracking menu as taught by Strauss and modified by Dow and Selker to indicate to the user what tool is currently activated and thus enhance the readability of the portion that is out-of-range (see Warnock col. 2, lines 30-37 and col. 10, lines 30-35).

However, Strauss, Dow, Selker, and Warnock do not disclose that the second region control is made invisible during movement. Nicholas, though, teaches the second region control is made invisible during movement (i.e., the message 202b can be removed from view while trailing the cursor, see col. 6, lines 4-15, or Fig. 2A Item 208c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the function of trailing message as taught by Nicholas to the tracking menu as taught by Strauss as modified by Dow, Selker, and Warnock to reduce the distraction to the user trying to read the information (see Nicholas col. 6, lines 10-15).

### ***Conclusion***

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Patent No. 6,097,387 is cited to teach a display screen for displaying a portion of the graphical space using pan tool.

Patent No. 6,369,837 is cited to teach a semi-transparent context menu.

Patent No. 6,938,221 B2 is cited to teach a user interface for stylus-based user input.

Publication No. US 2002/0101458 A1 is cited to teach a navigational interface allowing a user to control computer operations and input text into applications running on the computer with a single input device.

Patent No. US 6,918,091 B2 is cited to teach a cursor-based computing environment having a plurality of levels each having a plurality of buttons and is displayed in a selectable position about a pointer position in a display area to reduce pointer commute.

### ***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10/04/2006

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